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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/618,950 | 07/19/2000 | Brian Lo Bue | CISCO-1608 | 2135 |

7590

06/21/2004

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EXAMINER

CHOUDHARY, ANITA

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 06/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

SE

Office Action Summary

Application No.

09/618,950

Applicant(s)

LO BUE ET AL.

Examiner

Anita Choudhary

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 13-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

No claim to priority has been made in this application. The effective filing date for the subject matter defined in the pending claims in the application is July 19, 2000.

Election/Restrictions

Applicant's election without traverse of Group 1 (claims 1-12) in the reply filed on April 5, 2004 is acknowledged. Claims 1-12 are presented for examination.

Drawings

New corrected drawings are required in this application because the drawings are informal because they are hand drawn figures. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by McAlear (US 6,697,372).

In referring to claim 1, McAlear shows a local network for integrating USB connectivity in existing networks in order to allow access to USB devices from network devices (see abstract and col. 9 lines 19-27).

McAlear shows a remote host control driver for USB devices (see fig. 7, LAN hub 10, col. 72 lines 60- col. 73 line 2).

- A connection to a network (LAN link), said network further connecting to one or more USB device adapters (80), each of said device adapters having discrete network address (col.21 lines 14-20, col. 23 lines 39-46).
- A network protocol stack, said protocol stack for encapsulating USB packets in network packets and for decapsulating USB packets from network packets (col. 22 lines 58-66); and

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- A memory for storing the network address of each of said device adapters and for storing an identification of each USB device (100) connected to each of said device adapters (col. 32 lines 32-45, fig. 20).

In referring to claim 2, McAlear shows host control driver (10) comprising of a polling routine for contacting each of said device adapters (80) and identifying each of the said USB devices, and storing the identification in memory (col. 31 lines 1-14).

In referring to claim 3, 5, and 7, McAlear shows network packets can be Ethernet packets (col. 36 lines 39-45).

In referring to claim 4, McAlear shows a USB device adapter (end hub 80) comprising,

- One or more USB ports (col. 15 lines 7-13, fig. 7, 82)
- A connection to a network (LAN link 90), said network connected to a USB remote host (10) control driver (col. 15 lines 7-9)
- A network address (col. 21 lines 14-20)
- A network protocol stack, said protocol stack for encapsulating USB packets in network packets and for decapsulating USB packets from network packets (col. 22 lines 58-66).

In referring to claim 6, McAlear shows and Internet gateway (10) connected to the Internet (col. 20 lines 59-64); and

A USB remote host control driver (see fig. 7, LAN hub 10, col. 72 lines 60- col. 73 line 2).

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A connection to a network (LAN link), said network further connecting to one or more USB device adapters (80), each of said device adapters having discrete network address (col.21 lines 14-20, col. 23 lines 39-46).

A local network protocol stack, said protocol stack for encapsulating USB packets in network packets and for decapsulating USB packets from network packets (col. 22 lines 58-66); and

A memory for storing the network address of each of said device adapters and for storing an identification of each USB device (100) connected to each of said device adapters (col. 32 lines 32-45, fig. 20).

A polling routine for contacting each of said device adapters (80) and identifying each of the said USB devices, and storing the identification in memory (col. 31 lines 1-14).

In referring to claim 8, McAlear shows a processor for receiving unencapsulated USB packets from the protocol stack (col. 27 lines 36-44).

In referring to claim 9-12, McAlear shows connections to a variety of USB devices, included in the scope of these devices are: local video monitor, local telephone, television and telephone (col. 1 lines 58-64).

Conclusion

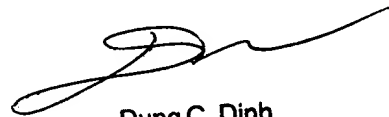
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC
June 8, 2004



Dung C. Dinh
Primary Examiner